

Determination of NEPA Adequacy (DNA)

U.S. Department of the Interior

Bureau of Land Management

OFFICE: Bakersfield Field Office, LLCAC06000

TRACKING NUMBER: DOI-BLM-CA-C060-2016-0060-DNA

CASEFILE/PROJECT NUMBER:

PROPOSED ACTION TITLE/TYPE: Skyline Drive Parking Area Right-Of-Way

LOCATION/LEGAL DESCRIPTION: Case Mountain ERMA, Tulare Co, CA; Sec. 17, T17S, R29E, Mount Diablo Base & Meridian

APPLICANT (if any): Bureau of Land Management

A. Description of the Proposed Action and any applicable mitigation measures

The Bureau of Land Management (BLM) proposes to grant a Right-of-Way (ROW) to itself authorizing the construction, use, maintenance, and termination /restoration of a parking area on BLM-administered public lands located at the end of Skyline Drive in Three Rivers, California.

The purpose of the parking area is to provide safe, suitable public access for recreational use of the Case Mountain ERMA while reducing the impacts of this access on the adjacent residential area. The need for the parking is to resolve unsafe and problematic parking and public access situation occurring at the terminus of Skyline Drive.

The purpose of the action is to authorize the construction of a parking area. The action is needed to respond to Bakersfield Field Office's application for a right-of-way.

The BLM authority for authorization of parking areas on BLM-administered lands is 43 CFR 2800 and Title V of the Federal Land Policy and Management Act of October 21, 1976, as amended.

B. Land Use Plan (LUP) Conformance

LUP Name Bakersfield Resource Management Plan Date Approved 12/22/2014

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

LR-G-1 *Provide lands, interest in land, and authorizations for public and private uses while maintaining and improving resource values and public land administration to the extent consistent with federal law.*

LR-O-2 *Meet public, private, and Federal agency needs for realty-related land use authorizations and land withdrawals ... to the extent consistent with federal law.*

LR-O-3 *Increase public access to public lands when consistent with other resource objectives.*

RVS-G-1 *Support growing demand for recreation access to public lands and maintain a diversity of recreation opportunities promoting a multiple use philosophy.*

RVS-D-5 Management Activities: *Develop suitable facilities to support use at parking/staging areas.*

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action

The Case Mountain Potential Craig Ranch Acquisition Environmental Assessment (DOI-BLM-CA-C060-2013-0199-EA), approved August 29, 2013, specifically analyzed the acquisition, infrastructure development, and management prescriptions for 52 acres, including the construction and maintenance of a parking area at the terminus of Skyline Drive. This EA resulted in a Finding of No Significant Impact (FONSI).

Bakersfield RMP Biological Opinion (08ESMF00-2012-F-0682), approved October 23, 2014.

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Yes. The construction and maintenance a small parking area at the terminus of Skyline Drive is a feature of the selected alternative (Alternative D) analyzed in the existing EA (DOI-BLM-CA-C060-2013-0199-EA, pp. 16-17). The proposed issuance of a Right-of-Way (ROW) to the BLM, while not specifically described in the EA, is an administrative action and there are no substantial differences from the action analyzed in the EA.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?

Yes. The EA analyzed five alternatives ranging from No Action – no acquisition or changes to infrastructure or management, to two alternatives (Alternatives C and D) that proposed acquisition with differing levels of infrastructure development and management (EA, pp. 13-20). There are no new environmental concerns, interests, resource values, or circumstances that would necessitate additional alternatives be analyzed.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

Yes. Field office resources staff has been consulted, and no new information or circumstances have come to light that would alter the conclusions of the existing analyses. The only special status species thought to occur in the area of the proposed action at the time of the original analysis was the Valley Elderberry Longhorn Beetle. On September 17, 2014, the USFWS published a Federal Register Notice which concluded that this species in fact does not occur in the Case Mountain area of Tulare County. Public notification and review under the National Historic Preservation Act (NHPA) Section 106 was completed in 2013 during the Case Mountain Potential Craig Ranch Acquisition EA. There is no other new information or new circumstances that would substantially change the analysis of the proposed action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes. The Case Mountain Potential Craig Ranch Acquisition EA analyzed site-specific impacts to Areas of Critical Environmental Concern, cultural resources and Native American values, biological resources, livestock grazing, recreation, physical resources, transportation management, and the social environment from the proposed acquisition and infrastructure development and maintenance. The proposed issuance of a ROW for the construction and maintenance of the Skyline Drive parking area is a feature of the selected alternative analyzed in the EA. The direct, indirect, and cumulative effects that might result from the proposed action are quantitatively and qualitatively identical to those previous analyzed in the EA (pp. 38-53).

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Yes. Public involvement was critical to both the planning and implementation stages of the proposed acquisition of the Craig Ranch parcel, therefore steps to ensure both the local community and visitors to Case Mountain were provided the opportunity to participate. A public workshop was held on May 29th 2013 to garner initial public input on which to set the project scope, establish the purpose and need, and draft potential alternatives. The formal public scoping period was conducted between July 1st 2013 and July 21st 2013 – which included a public information meeting on July 9th 2013 EA, pp. 54-58). A public review and comment period running from August 9th 2013 until August 23rd 2013 gave the public a final review of the analysis prior to the decision being made. A comment on the proposed parking at Skyline Drive were made during the public review and comment period requesting the accommodation of horse trailers; this and other comments were addressed in the Decision Record.

Tribal consultation for the potential land acquisition was initiated on April 30, 2013 in the form of certified letters to interested tribal governments and individuals who have been identified as being potentially interested with projects within the Case Mountain region. Continued consultation efforts were on-going throughout the project planning process and included site visits with tribal members, phone calls, email correspondence, and face to face meetings (EA, p. 56-58).

E. Persons/Agencies /BLM Staff Consulted

<u>Name</u>	<u>Title</u>	<u>Resource/Agency Represented</u>
Christina Castellon	Land and Realty Specialist	BLM
Amy Girado	Archaeologist	BLM
Tamara Whitley	Archaeologist	BLM
Sue Porter	Planning & Environmental Coordinator	BLM

Note: Refer to the EA (p. 59) for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

/s/ *Christina Castellon*
Signature of Project Lead

/s/ *Sue Porter*
Signature of NEPA Coordinator

/s/ *Gabriel Garcia*
Signature of the Responsible Official:

4/21/16
Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.